

103D CONGRESS }
1st Session }

SENATE

{ REPORT
103-133 }

CERTIFICATE OF DOCUMENTATION FOR THE VESSEL
"SERENA"

Mr. HOLLINGS, from the Committee on Commerce, Science,
and Transportation, submitted the following

R E P O R T

OF THE

SENATE COMMITTEE ON COMMERCE,
SCIENCE, AND TRANSPORTATION

ON

S. 1330



AUGUST 24, 1993.—Ordered to be printed

Filed under authority of the order of the Senate of August 2 (legislative
day, June 30), 1993

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COMMITTEE ON COMMERCE, SCIENCE, AND TRANSPORTATION

ONE HUNDRED THIRD CONGRESS

FIRST SESSION

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(II)

CERTIFICATION OF DOCUMENTATION FOR THE VESSEL
"SERENA"

AUGUST 24, 1993.—Ordered to be printedFiled under authority of the order of the Senate of August 2 (legislative day, June 30), 1993

Mr. HOLLINGS, from the Committee on Commerce, Science, and Transportation, submitted the following

REPORT

[To accompany S. 1330]

The Committee on Commerce, Science, and Transportation, to which was referred the bill (S. 1330) to authorize a certificate of documentation for the vessel *Serena*, having considered the same, reports favorably thereon and recommends that the bill do pass.

PURPOSE OF THE LEGISLATION

S. 1330, as reported, grants coastwise trading and fisheries privileges to the vessel *Serena*.

BACKGROUND AND NEEDS

Subject to certain limited exceptions, the law known as the Jones Act (section 27 of the Merchant Marine Act of 1920) and sections 12106 through 12108 of title 46, U.S. Code, provide that only those vessels built in the United States, continuously documented under the laws of the United States, and continuously owned by U.S. citizens may transport merchandise or passengers in the coastwise trade, or engage in the fisheries, of the United States. Where the facts applicable to a particular vessel suggest that the U.S.-built or U.S.-owned requirements have not been satisfied, the Coast Guard may not issue a document granting coastwise trading or fisheries privileges for that vessel unless the requirements of the law are statutorily waived.

The vessel *Serena*, U.S. official number 965317, is a 43-foot recreational vessel that was constructed in Newton, MA, in 1966. It was purchased by Kathleen and Robert Murray of the Isle of Palms, SC, in 1990. The vessel's owners intend to use it for the chartering of short sailing tours.

Because the vessel was once under foreign ownership, the owners have not been able to obtain coastwise trade and fisheries privileges for the *Serena*. Therefore, they are seeking a statutory waiver of the Jones Act and title 46 provisions for the vessel.

LEGISLATIVE HISTORY

S. 1330 was introduced in the Senate on July 30, 1993, by Senator Hollings. In open executive session on August 3, 1993, the Committee considered S. 1330, and ordered the legislation reported favorably without objection and without amendment.

ESTIMATED COSTS

In accordance with paragraph 11(a) of rule XXVI of the Standing Rules of the Senate and section 403 of the Congressional Budget Act of 1974, the Committee provides the following cost estimate, prepared by the Congressional Budget Office:

AUGUST 4, 1993.

Hon. ERNEST F. HOLLINGS,
Chairman, Committee on Commerce, Science, and Transportation,
U.S. Senate, Washington, DC.

DEAR MR. CHAIRMAN: The Congressional Budget Office has reviewed S. 1330, a bill to authorize a certificate of documentation for the vessel *SERENA*, as ordered reported by the Senate Committee on Commerce, Science, and Transportation on August 3, 1993. Enactment of S. 1330 would not result in any cost to the federal government or to state or local governments.

Enactment of S. 1330 would not affect direct spending or receipts. Therefore, pay-as-you-go procedures would not apply to the bill.

If you wish further details on this estimate, we will be pleased to provide them. The CBO staff contact is Deborah Reis, who can be reached at 226-2860.

Sincerely,

JAMES L. BLUM
(For Robert D. Reischauer, Director).

REGULATORY IMPACT STATEMENT

In accordance with paragraph 11(b) of rule XXVI of the Standing Rules of the Senate, the Committee provides the following evaluation of the regulatory impact of the legislation, as reported.

Because S. 1330 does not create any new programs, the legislation will have no additional regulatory impact, and will result in no additional reporting requirements. The legislation will have no further effect on the number or types of individuals and businesses regulated, the economic impact of such regulation, the personal privacy of affected individuals, or the paperwork required from such individuals and businesses.

SECTION-BY-SECTION ANALYSIS

The bill consists of one section. It provides that, notwithstanding sections 12106, 12107, and 12108 of title 46, U.S. Code, and section 27 of the Merchant Marine Act, 1920 (46 App. U.S.C. 883), as applicable on the date of enactment of this legislation, the vessel *Serena*, U.S. official number 965317, is eligible to engage in the U.S. coastwise trade and commercial fisheries and the Secretary of Transportation may issue a certificate of documentation for such vessel.

CHANGES IN EXISTING LAW

In compliance with paragraph 12 of rule XXVI of the Standing Rules of the Senate, the Committee states that the bill as reported would make no change to existing law.

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